IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
Writ Petition No. 1603(M/S) /2001
(Old No. 30501/2000)

State of U.P. through Dy. Director (Administration)
State Engineers Academy, Kalagarh,
District Garhwal. .....Petitioner

Versus

1. Presiding Officer, Labour Court, Dehradun.
2. Sri Manohar Pathak S/o Sri Teeka Ram Pathak R/o Sri M.C. Pant,
   450-Balliwala Chauk, Kanwli, District Dehradun.
   .....Respondent

24.04.2006

Learned Standing counsel for the petitioner,
Learned Standing counsel for the respondent No.1.

Hon'ble Rajesh Tandon, J.

Heard Standing counsel for the petitioner and Standing Counsel for the respondent No. 1.

By the present writ petition, the petitioner has prayed for a writ of certiorari quashing the impugned award dated passed by respondent no.1.

Briefly stated that respondent no.2 was a employee in the department of the petitioner and he raised an Industrial Dispute that he was employed in the Department of the petitioner on the post of Chaukidar/Beldar on daily wages. He had continued the work till 30.06.1988 and thereafter the services of the respondent no. 2 was terminated without any disciplinary proceedings as laid down by the provisions of Section 6N of the U.P. Industrial Disputes Act 1947.

Labour Court has passed the award reinstating the petitioner in service w.e.f 30.08.1988 and also awarded Rs. 5000/- as compensation for non-compliance under Section 6 N of the U.P. Industrial Disputes Act 1947 alongwith Rs. 1000/- as cost of litigation.

I perused the record. Since the labour court has come to conclusion that respondent has worked from May, 1982 upto date i.e. he had worked for more than 240 days as such he is entitled for reinstatement.

I find no illegality in the order passed by Labour Court. Hence the writ petition is dismissed.

24.04.2006 **(Rajesh Tandon, J.)**

Jain